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INDIAN FEUDAL TRADE CHARTERS

BY

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This[1]) note comments upon two copper-plate grants of which the older[2]) is dated about A.D. 592 and the later[3]) approximately A.D. 710. Had they not been sadly mangled in translation, they might have cast considerable light upon the role of the trader in the development of feudal society. Hitherto, it has been customary to merge two millennia of Indian history together as "ancient India", which amounts to denial of any basic development.

1. An inscription at Kārle[4]) shows that traders' unions of some sort existed even before the Christian era under the title *vāniya-gāma*, quite apart from the rich Greek and Indian traders who made individual contributions to the magnificent Caitya cave. The ancient meaning[5]) of *grāma* as a united mobile kinship *(sajāta)* group rather than "village" was carried over in this usage. The collective wealth and power of the merchants' *grāma* does not seem to have been dominant at this stage. Princes of that period such as Usavadāta made donations[6]) in perpetuity to the monastic Order at Nasik, in the form of interest upon capital deposited with various producers' guilds (oilmen, weavers, &c.)

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1) *EI* = Epigraphia Indica; *JBBRAS* = Journal of the (former Bombay Branch of the Royal) Asiatic Society of Bombay; *F* = J. F. Fleet: *Inscriptions of the earl Gupta Kings* (Calcutta 1888, *Cor. Ins. Ind.* III), cited by number of the inscription; *S* as in note 2) below and *M* as in 3), both cited by page.

2) D. C. Sircar in *EI* 30, 1957, 163-181; earlier, in the proceedings of the Bombay session (1949) of the All-India Oriental Congress (translation).

3) V. V. Mirashi's edition of the *Inscriptions of the Kalachuri-Chedi Era* (New Delhi 1955, *Cor. Ins. Ind.* IV), particularly p. 150 ff.

4) On the right 13th pillar; *cf. JBBRAS* 30, 1956.66 (*Dhenukākaṭa*).

5) W. Rau: *Staat u. Gesellschaft im alten Indien* (Wiesbaden 1957), 51-4.

6) *EI* 8.82-4 &c.

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The word for guild is *śreṇī* or its Prakrit equivalent. This term is common in the *Arthaśāstra* of Kauṭalya for associations of people who had just left the tribal stage but carried their unity — presumably originating in blood relationship — into more than one productive activity. The members of the older *śreṇī* would cultivate grain, herd cattle and colonize waste land. At the same time, they might engage collectively in other production such as that of cloth, or indulge in trade, and take to arms at need. That this flexibility survived to the Gupta period is proved by the famous Mandasor inscription (*F* 18) composed by Vatsabhaṭṭi in A.D. 473.

The *Arthaśāstra* state was itself the major producer of its day, virtually a monopolist. Merchants were encouraged only to carry on import and export trade between *janapada* territories separated by waste land and forest, but had virtually no control over local production and trade, dominated entirely by salaried royal officials. This system changed during the reign of Asoka, with the vast new country opened up for the merchants and for village settlement. The older state management could no longer function efficiently enough to collect and to distribute the village surplus, let alone to supply the villages over long distances through difficult terrain with such necessities as salt and metals. The traders took over the two latter functions; corresponding to them there had to be a class of surplus gatherers, the barons, who could collect the surplus as taxes, dues and rent from the villagers.

The essential difference, which developed gradually, was the predominance of merchant guilds controlled by rich families over the older type of workers' *śreṇī*. This implies not only progressive deterioration of producer's guilds due to greater internal disparities in wealth, but also denser settlement in villages. Thus, the *vaṇig-grāma*, which spread into the south as *maṇi-grāmam*, was an association of traders related by common interest in trade that had to pass through a particular centre, but not necessarily related by kinship nor themselves producers. These traders were given royal charters of the type which form the main basis of this note. They enjoyed special immunities, but were restrained from excesses against their hired workers.

The change could not have been sudden, nor simultaneous over the whole country. The main contention of this paper is that there *was* a major change in the second half of the 6th century. Āmrakārddava,

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grandee of Candragupta II, gave (*F* 5) in the year 412-3 a village and 25 *dīnāras* to the monastery at Sanchi *(Kākanāda-boṭa)*. He salutes a "Council of Five", which takes no part in the transaction and must have been — as we shall see later — a senate of merchants who acted as witnesses and guarantors for the donation. Ten monks were to be fed daily and two lamps lighted in perpetuity from the total income. The lady Harisvāminī, a lay follower, donated 12 *dīnāras* to the same monastery in 450 (*F* 62) as a permanent fund *(akṣaya-nīvī)* to feed one monk daily, with four *dīnāras* more for four lamps to be lighted in perpetuity. Assuming no change of local prices or interest-rates in the 38 intervening years, it follows that the state's sixth portion of the grain harvested at Īśvara-vāsaka village which had been transferred by donation to the monastery would be equivalent to the annual interest on about 97 *dīnāras*. It is also clear that Buddhist monasteries still ranked as leading financial houses in the 5th century. The great monasteries along the Deccan trade routes had certainly functioned from about the 2nd century B.C. as banking houses and major customers for the trade in valuable commodities then transported over long distances by traders' caravans. However, the wealth accumulated in monastery and temple tended to be frozen in jewels, precious metals, and bronze. This progressive withdrawal from circulation naturally became a hindrance to production and exchange, particularly at the stage when village settlement began to expand at a rate which gave new importance to trade in necessities. A change was certainly due. The producers' guilds were still good investment brokers in the 5th century. For example, the oilmen's guild at Indor (Bulandshahr district, UP) headed by one Jīvanta accepted money in A.D. 465 from a brahmin Deva-viṣṇu (*F* 16); the interest was to be used in perpetuity for the annual supply of a specified quantity of oil for the temple lamp. This trust was to continue even if the guild changed residence, provided it functioned as one unit. The prominence of the head-man is a new feature which was to be accentuated with time.

It seems to me that the same profound structural change is best reflected in the use of the word *sāmanta*. In the *Arthaśāstra*, it means uniformly neighbour or independent neighbouring king. The *Amarakośa* (2.8.2) defines 'supreme monarch' *(adhīśvara)* as a king who has subjugated all neighbouring rulers *(sāmanta)* without exception: *praṇataśeṣa-sāmantaḥ*. On the other hand *sāmanta* in 7th century and later

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epigraphs has to be translated as "feudal baron". That the change was complete rather late in the sixth century is proved by the fact that Dhruvasena I of Valabhī, on friendly terms with the Guptas but virtually independent and certainly not their vassal, bore the titles *mahārāja-mahāsāmanta*, in A.D. 526. The latter designation, corresponding perhaps to the earlier *mahā-kṣatrapa*, was soon dropped by his successors. At about the same time, however, Yaśodharman of Malwa (famous for his repulse of the Hun raider Mihiragula in A.D. 532) boasts (*F* 33) of having struck down the pride of *sāmantas* (= surrounding kings) by the power of his arm. This exemplifies the process described elsewhere[1]) as "feudalism from above". It follows that the *Amarakośa* is earlier than historians of Sanskrit literature like Keith would like to admit; placing its author at the Gupta court in the 5th century would be reasonable. This would also push the date[2]) of the poet Bhartṛhari down to a period not earlier than the late 6th century.

Administrative decentralization through *sāmantas* accelerated the conversion of communal property into feudal property. Local chieftains were transformed into barons responsible to the king retaining their former rights, but as few as possible of the obligations to their own followers. High officials and legates who would have received a regular stipend under the Mauryans also became such barons or were assigned the state's revenues of some land for stipend. The army was broken up into small police garrisons; the king maintained just enough under his direct command to be able to dominate all the rest. Actual use of currency per head of population was unquestionably far less than under the Mauryans, as indeed we learn from Chinese pilgrims' accounts. The agriculturist paid his tribute of one sixth in kind to the king. The trader converted enough of it in cash to enable the state to meet its obligations. Such a system cannot work unless the density of village settlement rises to a sufficient but not too high level. The village by itself is a poor foundation for such trade; its surplus has to be securely

1) D. D. Kosambi: *Introduction to the Study of Indian History* (Bombay 1956, chapters 7, 8, 9).

2) By the stanza beginning *bhrātaḥ kaṣṭam aho* in the northern and *sā ramyā nagarī* in the southern version (no. 169 in the critical edition, *Epigrams Attributed To Bhartṛhari*, Singhi Jain Series 23, Bombay 1948). Here, *sāmanta-cakra* can only mean — in the context — the highest nobles of great king's court.

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concentrated in relatively few hands. Thus trader and lord supplemented each other, whether or not they were conscious of the fact. All this would give a special position to the new *vaṇig-grāma* which alone had the accumulated capital necessary to finance the petty trader and the caravans. They would thus take over the surplus from the peasant as well as the feudal lord, supplying household goods to the former and luxuries to the latter, at the period when growth of new village settlements was rapid.

2. Here, the greatest of the published charters is re-translated. The numbered clauses have been grouped subjectwise in paragraphs. Each paragraph is followed by special comment wherever necessary. It must be noted that every clause of the charter relates in some way to the merchants. Thus it is clear that, even in no. 24, the peasants who come to town for seed would go to the merchant, and not to some landlord.

Points to be specially noted are: First the considerable incidence of commodity production centered in the town, under the merchants' patronage: wine, sugar, indigo, ginger, oil, woven cloth and clothes, pots and vessels, articles in wood, iron and leather etc. But the merchants themselves are no longer guild producers, only people who finance and thus control the production. Secondly, the state regulated prices (as in *Manusmṛti* 8.402), and checked weights and measures (as in the *Arthaśāstra*), and collected taxes or corvée labour (*Manusmṛti* 7.138). However, dues and fines are assessed in cash, not produce or penal labour. The standard coin is a *rūpaka (R.)* divided into twentieths, and old ancestor of the rupee. The *dhārmika* is interpreted by Sircar as a specially low rate of tax when the goods are for religious purposes; this would be ridiculous when applied to wine-vats (42) and fines (33) for tampering with seals. The *dhārmika* is the equivalent of the *zakāt* (alms) tax under the Muslims. In practice, it was merely a surcharge levied as for charity, though never specifically applied nor accounted for as such. It is surprising to discover this to be a pre-Muslim institution in India.

Charter of Viṣṇuṣeṇa (the Maitraka Viṣṇubhaṭa) dated A.D.592, to a merchants' settlement in Gujarāt (*EI.*30.163-81):

1). The property of one (who has died) sonless is not to be attached (by the crown, but disposed of according to guild rules). 2). The king's men are not to break into a house *(ummura-bhedo)*. 3). A lawsuit without proper attestation is void. 4). No arrest upon (mere) suspicion. 5). A

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woman is not to be apprehended for (her) man's transgression. 6). No prosecution *(chalo)* to be held for the accidental spread of a fire lighted for (normal) beneficial purposes. 7). No prosecution to be held for the self-mutilation of an ear. 8). No process is valid without a party of the first part and respondent of the second part. 9). No prosecution to be held of one seated in the shop (*āpaṇa*, busy with his sales; *cf.* no. 21). 10). A bullock cart is not to be attached.

Mirashi translates *umura-bheda* first as "distinction of wharfs", and then (in the index) as "forcible breaking of a house". Sircar seems to connect *ummura* with *unmudra*, apparently in reference to a house sealed in the owner's absence. The simplest modern equivalent seems to be *umbarā* or *umbaraṭhā*, threshold. Clause 2 thus guarantees the merchant's house against unwarranted trespass by royal officials. *Āpaṇa* in 9 is not a shop in the modern sense, but any place, even a temporary enclosure, where the merchant bought, sold (and may have stored) his specialized merchandise. Otherwise the modern word *dukkān* for shop need not have been borrowed from the Persian.

11). If a baron *(sāmanta)*, king's legate *(amātya)*, or royal envoy *(dūta)* should turn up, they have not the right to billets, quarters, or cooked food (as prerogatives, from members of the guild, who are thus exempted from ordinary feudal dues and perquisites).

12). All guilds *(śreṇī)* are not to pay the single-market-tax *(ekāpaṇakaḥ)* 13). All guilds are exempt from the *khovā*(?) gift. 14). Royal perquisites (generally in kind) are to be given to members of the royal household, or to authorized officials, not to others. 15). Deposits *(nyāsaka*, of royal dues?) are not to be made with the guild-alderman (*vārika)*. 16). A merchant come upon legitimate business from a foreign district is not to be apprehended, merely because he is suspect as a foreigner (of encroaching upon local privilege; *cf.* no. 52).

The term *vārika* implies holding the office in rotation, perhaps from day to day, presumably so that all the leading families might share the prestige and the responsibility by turns.

17). No complaint is acceptable without a personally afflicted complainant. 18). The *sārī* (? bondswoman) is not an admissible witness in cases of injury by words or by violence.

Sircar takes *sārī* as *sārikā*, a (female) talking-bird. Having one as witness in the courts would be fantastic even for the Arabian Nights.

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Unless some debt-slave like the *hārī* is meant, emendation to *bhārikā* (*cf.M*, p. 158) is called for. The rejection is then of a poor drudge whose testimony would be subject to bias or pressure.

19). Workers at (brown-) sugar boiling pans *(ḍheṅku-kaḍḍhaka)* and at indigo vats *(nīla-ḍumphaka)* are exempted from corvée labour (for the king, in lieu of taxes, because the establishments are taxed as in 49,48). 20). Attendants for filling (charitable) drinking-water cisterns *(prapā)*, and herdsmen (working for the merchants) are not to be apprehended for the king's (forced and free) labour.

21). Those engaged (in their business) at home or at the shop are not to be summoned (to court) whether by a sealed document or messenger (*cf.* no. 9). 22). Those engaged in a sacrifice *(yajña)*, *sattra*, marriage ceremony and the like are not to be summoned to answer in a civil suit on behalf of others. 23). In a debtor's suit, one not fettered by wooden or iron fetters (*i.e.* not under restraint as a criminal) is to be allowed bail on furnishing a surety. 24). Peasants come (to the market town) from their own district at the (beginning of the) rains for (purchase of) seed are not to be seized by the lord (for labour on his own estate).

25). Weights and measures are to be shown for checking in the months of *Āṣāḍha* (June-July) and *Pauṣa* (December-January). The (certificate-) fee is R. $1\frac{1}{4}$ inclusive of tithe surcharge *(dhārmika)*. 26). For financial transactions in undeclared goods, acceptance or clearance of (untaxed) grain and the like, a fine of eight times the value of the goods (smuggled) is to be imposed. 27). The shopping-quarter *(peṭavika)* guild-alderman *(vārika)* is to publish the roll of (fixed) prices every five days; for failure to publish, a (fine of) R.6 plus a tithe surcharge of R.$\frac{1}{4}$. 28). The guild-aldermen *(vārika)* from the leading families *(uttara-kulika)* are not allowed to go forth (from the district) if the authorized stock-list should be lost. 29). If the guild-aldermen from the leading families do not turn up before the registrar after the (registrar's) attendant has called out their names thrice, the default is punishable by a fine of R. $2\frac{1}{4}$ inclusive of tithe. 30). The recorders of processes and registrar's servants (apparently to be furnished by the guild-merchants) are liable to a fine of R. $6\frac{1}{4}$ inclusive of tithe for not remaining present (at the registrar's court) till noon and after. 31). (However), the guild-aldermen from the leading families are not (liable to) prosecution (for absence from the registrar's

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court) beyond noon. 32). For charging prices beyond (those on the roll of no. 27, the fine is) R. $3\frac{1}{4}$ inclusive of tithe. 33). For tampering with a seal (i.e. sealed document, presumably licence or roll), the fine is R. $6\frac{1}{4}$ inclusive of tithe.

34). For a dispute regarding real estate resolved by the neighbours (without appeal to royal courts), the fine is R. 108. 35). If, however, due information be given (to royal officers), R. 54. 36). To the winner of the suit (thus settled out of court), a certificate is to be issued against a fee of R. $3\frac{1}{4}$.

37). For knocking (another person) down and dragging (him or her) along, or for cutting an ear, the fine is R. 27. 38). For verbal injury or injury by violence (beating), R. $6\frac{1}{4}$ as fine. 39). If (permanent) scars are visible (as a result of the beating), R. 48. 40). For damage by cattle mouthing *(taunḍika*: the mouthing of market-goods, a fine of) R. 5/20. 41). For buffalos, twice the above (as the buffalo has not the cow's sanctity!).

42). For the inspection of wine-barrels (or vats, a fee of) R. 5. 43). For the first (use of a) wine-vat, the official's fee with tithe is R. $2\frac{1}{2}$. 44). But if one brews a second day without declaration, twice the above is to be imposed. 45). For inspection of a wine-distillery (a fee of) R. 3, (an additional) tithe of R. $1\frac{1}{4}$ and, as royal perquisite, two quarter-measures of wine.

46). The (royal share of) bell-metal utensils is accepted at the (royal) warehouse after mass inspection and weight-checking, on *Āṣāḍha* full-moon. No (other) fee at the (royal) warehouse. 47). At the royal store-house, the distillery-*vārika* has no obligation to do any work beyond measuring out and delivery of the measure (due to the king) by $\frac{1}{4}$ *śoṭī* pots.

48). Indigo-vat dues payable by the dipper *(ḍumphaka)* are R. 3. 49). For a sugar-cane depot (the dues are) R. 32; tithe (an additional) R. $2\frac{1}{4}$. 50) for a wet-ginger depot, half the above. 51). For an oil-mill, R. 3; tithe (an additional) R. $1\frac{1}{4}$.

52). Merchants who have come (from a foreign region) only for shelter through the rainy season are not to be charged import duty (and immigration tax); but export duty (and emigration tax, are to be charged on leaving; *cf.* no 16). 53). The frontier customs duty on a carrier-load (*vahitra* = boat-load or large car-load) of trade-goods (*bhāṇḍa*, which

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means pots and vessels also) is R. 12; (in addition) a tithe of R. $1\frac{1}{4}$. 54). For a buffalo-load (of trade-goods) or a camel-load, R. $5\frac{1}{4}$ inclusive of tithes. 55). (Frontier) dues on a bullock-load (of trade-goods) R. $2\frac{1}{2}$; tithe (in addition) R. $\frac{1}{4}$. 56). (Frontier) dues on an ass-load (of trade goods) R. $1\frac{1}{4}$ inclusive of tithes. 57). Half the above for bundle-packs (such as headloads); for loads suspended (from a pole across the shoulders), R. 5/20. 58). For (a light load of) 100 *palas* (about 8 pounds) R. 2/20 inclusive of tithes. 59). (The frontier duty) for grain is at half the above schedule for trade-goods. 60). The frontier duty for a crate of ginger is R. $1\frac{1}{4}$ inclusive of tithes. 61). For a boat-load of bamboos, R. $6\frac{1}{4}$ inclusive of tithes. 62). No duty is to be levied on grain carried on the shoulders (presumably as for the bearer's personal food-supply). 63). From (consignments of) cummin-seeds, black mustard seeds, and coriander seeds, merely a sample of a double handful may be taken (as frontier duty). 64). There is no (frontier) tax to be charged on (people crossing to attend) a marriage, *yajña* sacrifice, pilgrimage festival, or a lying-in ceremony. 65). For a bridegroom's procession, the frontier tax is R. 12; in addition, a registry-tithe *(paṭṭa-dhārmika)* of R. $1\frac{1}{4}$.

66). The duty on a (large) load of wine (*i.e.* boatload or cartload) is R. 5; tithes R. $1\frac{1}{4}$. 67). For a skin of wine, R. $1\frac{1}{4}$. 68). For (wine) loaded in a jar, half the above. 69). For a quarter-sized jug, R. 5/20 inclusive of tithes. 70). For vinegar (or bitter wine, the royal dues are) 3 quarter-measures of rum *(sīdhu)*.

71). The tailor, weaver, shoemaker are (in lieu of taxes or corvée) to supply the royal household, each according to the nature of his work, at half the rates prevalent over the countryside. 72). The blacksmith, sawyer, barber, potter, and the like are to be put to corvée labour by the (respective) *vārika* (in lieu of taxes).

The royal privilege of paying a lower price for craftsmen's work is characteristically feudal, and was later claimed by the barons as well. Clause 24 shows that the peasants of the hinterland were beginning to be held arbitrarily by the feudal lords for corvée labour. The artisans in 72 were no longer the unattached, free, wage-workers or guildsmen of earlier days, nor yet the privileged members of a self-sufficing village community; they must have rendered agreed services to all residents of the corporation area, but not against regular taxable cash payment for each performance.

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3. A rise in merchant prestige is visible in the second set of plates of the Cālukya king Bhojaśakti found at Anjaneri near Trimbak in the Nasik district. The date is about A.D. 710.

(M. 159) "Be it known to you (all) that the previously deserted *(utsāditam)* Samagiripaṭṭana with the triplet (of smaller villages) Ambeyapallikā — Savāṇeyapallikā — Maureyapallikā has been resettled by me. It has been bestowed upon the entire Corporation *(nagara)* led by the *śreṣṭhī* Ela and the *śreṣṭhī* Karaputa. The merchants resident at Samagiri have no tolls throughout the realm as long as sun and moon shall endure. Furthermore, there is (to be) no confiscation (by the crown) of property (of one dying) sonless. No house-trespass *(umura-bheda)* by, nor rations allowance for, royal officials. For violation of a virgin (a fine of) R. 108. For seduction, R. 32. For cutting off an ear, R. 16. For cracking a head R. 4. For any merchant's son assaulting (sexually) a porter-woman *(bhārikā)*, R. 108 (fine). The verdict reached after due deliberation by eight or sixteen senior men of the Corporation will be final. This has been posted by srī-Tejavarma-rāja".

This compares with the charter in the preceding section. The *rūpaka* is now explicitly defined as the silver coin of Kṛṣṇarāja. The whole town consisted of the merchants and their dependents. Hence the word *nagara* is used in the double sense of a traders' and a civic corporation. The merchants were given the right to trial by a jury of their own seniors. The *śreṣṭhin* had now a special position, and indeed such an association would inevitably be dominated by the richest among them, subject to the need for inner solidarity. The first set of Anjaneri plates (dated 710) confirms this position of the merchants. The word *nagara* there must also refer to another such corporation, at Jayapura. Otherwise, the plates make no sense. For, money and village revenues had been donated by the king for a temple, but not in charge of any priest. Instead, the *nagara* merchants are asked to select five or ten of their number, "according to the usage of the *nagara*", to supervise the great annual festival of the god, which would be attended by many pilgrims from afar and lasted a whole fortnight in the month of Mārgaśīrṣa (December). The administration of the temple estate, including disposal and investment of the revenues, was left in trust with the entire *nagara*. Tejavarman adds a colophon to the plate where he "releases a meadow in Palittapāṭaka to the south of the (merchant corporation-town of) Jayapura. In com-

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pensation *(niṣkraya)* of the god Bhogeśvara's land, to the Jayapura merchant-Corporation R. 100 have been given. The interest of that hundred is the price of incense (*guggula* = bdellium) to be given annually in perpetuity (to the god) by the Corporation". The pasture land was not in Jayapura. Just what did Duke Tejavarman mean by relinquishing the land and then paying R. 100 compensation, whereof the merchants should devote the interest to supplying the temple? The only explanation is that this land would have to be used by some tenant and pay royal dues, which Tejavarman had not the right to excuse or transfer; so passing on the nominal ownership to a distant *nagara* would profit nothing. On the other hand, if the money were given to the state (as in most feudal grants) in commutation of taxes, there would be no incentive for the merchants and the profits might be uncertain from year to year, so that the donor's merit could not be guaranteed.

The sixth *ucchvāsa* of Dandin's *Ten Princes*[1]) bears testimony to this higher position of the merchants in independent settlements. We need not discuss the authorship of the *Avanti-sundarī-kathā* and the *Kāvyādarśa*. Both the *Pūrvapīṭhikā* and the *Uttarapīṭhikā* are to be discarded. What remains is still a masterpiece of Sanskrit literature. Its sparkle, verve, gusto, controlled flamboyance, penetrating but subtle humour, gentle irony, command of expression, and acquaintance with a broad cross-section of life would qualify it in any language as an outstanding work. The period familiar to the author could not be far from the 7th century, and should undoubtedly be placed before the influence of Bāṇa withered high Sanskrit prose. The word *sāmanta* is used throughout the work in the feudal sense. The stories are not told as of the long-vanished unfamiliar past. The localities where the merchants were supposed to reside namely Bhāvnagar, Sūrat, Mathurā and Ujjain might be chosen as handy names. But it is clear that merchants travelled over long distances, not only for trade but to choose a bride. In the story within Mitragupta's narrative, the merchant Balabhadra, accompanied by his wife and a slave-woman of all work *(paṇya-dāsī)* bought on the way, settle in a hamlet *(kheṭaka-pura)*. This must have been a trade center, for "Even in that small place, Balabhadra, a shrewd business man, multiplied his modest

8) The current Nirṇaysāgar edition and Ryder's elegant translation (modified as necessary) of the *Daśa-kumāra-caritam* have been followed.

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capital into a great fortune. He was accounted the leading citizen *(paura-agraṇī)*, and had a household of dependents suited to his wealth." When the servant-woman lodged information upon a supposed criminal charge against him, the king's sheriff *(daṇḍa-vāha)*, who hoped to gain from the confiscation of Balabhadra's property, had him brought before the merchant *śreṇī* for trial. That is, the royal officer had not normal jurisdiction over a merchant, even over one suspected of the abduction of some girl. Similarly in the next story of the same *ucchvāsa*, where the picaresque hero agrees to confess only before the *vaṇig-grāma* as to how he came in possession of an anklet lost by the epicene merchant's wife. That is, the *grāma* here is merely the older term for our *nagara*, which was its logical extension with the merchant's rise in status.

The question that remains is why this trend did not continue (as in Europe) to the full course of bourgeois development, though individual merchants became rich. Various reasons spring to the mind. In particular, caste, which prevented the merchant class from having relatives in the administration and the army; foreign conquest by Muslims who valued trade, but were not allowed usury by their canon law, and could never come to satisfactory terms with idolaters. The Hong merchant guilds of China wielded far more power than their counterparts in India. But then, the Chinese merchant normally had landlord relatives, a cousin or two in the imperial service as Mandarin, and could belong to the same *wei kuan* provincial union as they. That is, the merchant's class basis was broader in China than in India. In fact, the merchants in China played a leading part in the creation of the first unified state under Chin Shih Huang-ti in 221 B.C.; one of them was its first chief minister. The corresponding Mauryan state under the brahmin minister Cāṇakya showed draconic measures against the merchants. The basic answer, naturally, is that village production had conquered in India. Where most of the produce was consumed in the village, and where the artisans were also the special village craftsmen, i.e. village potter, village carpenter, blacksmith, leather-worker, etc., *commodity* production and village purchasing power were both at a minimum. Thus, the merchants tended to congregate at port towns — which always trembled in the shadow of the great inland kingdoms — or at the major emporia. It is notable that none of the charters nor the extant Sanskrit literature gives *nagara* privileges to merchants at or near the capital of any king-

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dom. The workers' guilds disappeared, so that the merchant could hire enough workers for his goods to be turned into a commodity with greater sales value. But when artisan guilds no longer existed as a power with which even princes had to reckon, merchants were at the mercy of feudal lords who controlled the surplus and who were the major purchasers of the costliest merchandise. The very success of a virtually closed village economy struck at the roots of proper bourgeois development.

The ease with which the country fell to successive invaders is explained by the helplessness of carefully disarmed villages with their consequent indifference to change of masters. The extreme rigidity of caste was just one more manifestation of the general "idiocy of village life".

The merchant's influence shows in certain new departures. In *M* 369-74, dated A.D. 1212, the sons of a king's priest surrendered the entire annual income from the village Alaura in Rewa to one Dhareka who had risen to the rank of Rāṇaka from a lower *(Ṭhakkura)* feudal landlord family. That the original title derived from a royal grant, presumably to the dead father, seems obvious from the royal seal affixed to the copper-plate deed, which was executed in the presence of high officials (cited) of the ruling king Trailokyamalla Candella. The king's assent to the transaction is thus implied. The original royal grant could not bestow more upon the family than the state's rights to taxes and perquisites (including fees for any future settlement of uncultivated land) in the village. These rights were transferred from a priestly family to a feudal lord who was not a brahmin, though brahmins could be *ṭhakkuras*. Not only is this unique, but the reason for the transfer is even more striking: default on a mortgage, *vitta-bandha*. The "Council of Five" whereby "merchants adjudicated such financial affairs according to their custom" is explicitly mentioned in the deed, so that the pledge was forfeited in accordance with mercantile law, and not feudal usage.

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